

## REMARKS

Applicants submit this paper in response to the Non-Final Office Action dated November 27, 2009.

By way of this paper, claims 1-7 and 12-13 remain pending, claims 8-11 remained canceled, and claims 1-3, 6-7 and 12-13 are currently amended. Support for the amendments to claims 1-3, 6-7 and 12-13 can be found in paragraphs [0006], [0008] and [0009]. Therefore, no new matter has been added.

In light of the foregoing amendments to the claims and the following remarks, Applicants believe that the present application is in condition for allowance and respectfully request the Office to acknowledge the same.

### Rejections Under 35 U.S.C. § 112

Claim 1 stands rejected under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and succinctly claim the subject matter which Applicants regard as their invention.

Claim 1 has been amended to delete “pure” and substitute “PET.”

Reconsideration and withdrawal of the indefiniteness rejection is respectfully requested.

### Rejections Under 35 U.S.C. § 102 and 103

Claims 1, 2, 6 and 7 stand rejected under 35 U.S.C. § 102 as being assertedly anticipated by Robinson, *et al.* (U.S. 6,376,563). Claims 1, 2, 4 and 5 stand rejected under 35 U.S.C. § 102 as being assertedly anticipated by Van Erden, *et al.* (U.S. 6,288,131). Claims 4 and 5 stand rejected under 35 U.S.C. § 103 as being assertedly obvious over Robinson, *et al.* in view of Van Erden, *et al.* (Applicants note with appreciation the Examiner’s indication of allowable subject matter for claims 3, 12, and 13, if rewritten in independent form.)

Amended independent claim 1 now recites a method for repossessing used PET bottles, by shredding the bottles to yield PET plastic flakes, sorting the PET plastics flakes according to at least one criterion into at least two partial chronologies, and performing an industrial reprocessing treatment of each of the at least two partial quantities, with the industrial reprocessing treatment including at least one decontamination treatment for each of

the at least partial quantities of the PET plastic flakes. Thus, in claim 1, as amended, the PET bottles are shredded into PET plastic flakes. Similar amendments, to indicate that the plastic flakes are, in fact, PET plastic flakes, are made to dependent claims 2, 3, 6, 7, 12 and 13.

The prior amendment to claim 1, as made in Applicants' previous response, regarding "pure" was, with respect, misunderstood by the Examiner. That is, the use of the term "pure", relative to processing of "used" PET bottles, was intended to have, not the meaning of "without any contaminants," but rather the meaning of "simply PET flakes and no other material." Accordingly, Applicants have now amended claim 1, and related dependent claims, to indicate that the plastic flakes are "PET plastic flakes".

In view of this amendment then, applicants refer to the Examiner and incorporate herein by reference their prior arguments (as found in the Response filed August 3, 2009) as made to the cited Robinson and Van Erden references, but to be read in connection with "PET plastic flakes," rather than "pure" flakes.

Further, applicants note that the Robinson and Van Erden references show recycling processes whereby different plastic materials are found within the quantities of flakes and particles being processed. On the other hand, the Applicants' present process, as presently claimed, is performed just with PET plastic flakes, and therefore segregation processes (as suggested by Robinson) will not work and are unnecessary. That is, segregation processes do work where different material densities are present (for example, with a mixture of PVC and PET plastics). However, due to the fact that within the presently claimed process, all particles present are PET plastic flake particles, there is no difference in density, and therefore, flotation segregation processes will not work. Further, the cited prior art, as the Examiner notes relative to claims 3, 12, and 13, fails to disclose that the decontamination is done on thin and thick PET flakes separately. Thus, the presently claimed invention is patentably distinct from the Robinson the Robinson an Van Erden references.

Summarizing, neither Robinson, Van Erden, nor any other reference of record discloses or suggests each and every limitation recited in amended claim 1. Therefore, Applicants kindly request the Examiner to reconsider and withdraw the outstanding anticipation and obviousness rejections.

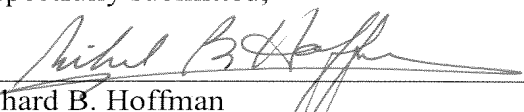
CONCLUSION

Applicants believe that each of the outstanding rejections, objections and/or other concerns have either been accommodated, traversed or rendered moot. Therefore, the applicant is in condition for Allowance. Should there be any outstanding issue that the office believes may be remedied via telephone conference, please contact the undersigned at 312-474-6300.

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Respectfully submitted,

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